

GEORGIA STATE BOARD OF DISPENSING OPTICIANS
Board Meeting August 10, 2005

A meeting of the Georgia State Board of Dispensing Opticians was held on Wednesday, August 10, 2005, at the Professional Licensing Boards' Office in Macon, Georgia.

The following Board members were present:

Glenn Morris, Chairman
Steve Sanford, Vice Chair
Diane Drake
Dave Meldrum
Thomas Schulz

Others Present:

Brig Zimmerman, Executive Director
Yvonne LeSane, Board Secretary
Laura Meadows, Asst. Secretary of State
Kathy Harvey, Enforcement
Kristel Holgado, Visitor

Serena Gadson, Apps. Specialist
Wylencia Monroe, Board Attorney
Anita Martin, Executive Director
Donna Buck, Visitor

Mr. Sanford moved and Mr. Meldrum seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1)(2), O.C.G.A. §43-1-19(H)(2)&(4) and O.C.G.A. §43-1-2(k)(4) to deliberate on applications, investigations report and the Cognizant Report and to receive information on applications, investigations report and the Cognizant Report. Voting in favor of the motion were those present who included Board Members Drake, Morris, Sanford, Schulz and Meldrum. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

Chairman Morris established that a quorum was present, and the **public meeting** that was scheduled to begin at 10:00 A.M. was **called to order** at 10:30 a.m.

Laura Meadows, Assistant Secretary of State:

Ms. Meadows attended the Board meeting briefly and conveyed Ms. Cathy Cox's appreciation to the Board during the change in internal operations. She also expressed her thanks for the Board's patience in downturns. Ms. Meadows discussed the budget, fiscal year, 2005 budget, General Contractors Board.

Ms. Meadows suggested the Board speak to legislators and educate them on the Professional Licensing Boards imbalance.

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PUBLIC HEARING:

Mr. Morris established that a quorum was present, and called the Public Hearing to order at 10:35 a.m. As there were no written or verbal comments, the public hearing was adjourned at 10:45 a.m.

At its meeting on August 10, 2005, the Board voted that the formulation and adoption of Rules 420-2-1 does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Official Code of Georgia Annotated §§43-1-25; 43-5-6 and 43-5-8.

At its meeting on August 10, 2005, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-25; 43-5-6 and 43-5-8 to adopt or implement differing actions for businesses listed at O.C.G.A. §50-13-43(3)(A) and that the formulation and adoption of Rules 420-2-1 will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of dispensing opticians.

After discussion and consideration of the rule change, Mr. Sanford moved and Mr. Meldrum seconded and the Board voted to adopt the proposed rule 420-2-.01 in accordance with 50-13-4(a)(1) as posted.

420-2-.01 Registration. Amended.

(1) All persons practicing as a dispensing optician shall register with the Division Director of the Professional Licensing Boards Division and shall pay a biennial registration fee on or before March 31st of the registration year. Failure to register and pay this fee shall forfeit the certificate of such delinquent but he or she may be reinstated by paying all registration dues and an additional penalty.

(2) Any service member as defined in O.C.G.A. § 15-12-1 whose license to practice opticianry expired while serving on active duty outside the state shall be permitted to practice opticianry in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of his or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of his or her discharge from active duty or reassignment to a location with the state. The service member must present to the board a copy of the official military orders or a written verification signed by the service members commanding officer to waive any charges.

Minutes: Mr. Sanford made a motion, Mr. Meldrum seconded and the Board voted to **approve** the minutes from the May 4, 2005 meeting as amended.

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Applications:

The Board discussed the Administrative Processing of applications with DUI's that are five (5) years of age or older.

Mr. Meldrum moved and Ms. Drake seconded and the Board voted to take the following action on Licensure by Application/Examination:

Jennifer L. Worley: Mr. Meldrum moved and Ms. Drake seconded and the Board voted to approve the application for licensure by examination.

Joseph M. Williams: Mr. Meldrum moved and Ms. Drake seconded and the Board voted to approve the application for licensure by application.

J.M.A.: Mr. Meldrum moved and Ms. Drake seconded and the Board voted to approve pending receipt of additional information.

Ratify list of newly issued licenses: Ms. Drake made a motion, Mr. Schulz seconded and the Board voted to **ratify** the newly issued licenses.

License No.	Name	License Type
NEWLY ISSUED LICENSES		
LDOA000014	Whatley, Caleb Braxton	Dispensing Optician Apprentice
LDOA000015	Miller, Kathleen Leigh	Dispensing Optician Apprentice
LDOA000016	McGouirk, Julie Ann	Dispensing Optician Apprentice
LDOA000017	Dyer, Valerie Lynn	Dispensing Optician Apprentice
LDOA000018	Niemiec, Dianna Lynn	Dispensing Optician Apprentice
LDOA000019	Rogers, Bobbie Gail	Dispensing Optician Apprentice
LDOA000020	Aiello, Bernard E	Dispensing Optician Apprentice
LDOA000021	Moyers, Audrey	Dispensing Optician Apprentice
LDOA000022	Hull, Suzanne Marie	Dispensing Optician Apprentice
LDOA000023	Kennedy, Michael Andrew	Dispensing Optician Apprentice
LDOA000024	Warren, Joy F	Dispensing Optician Apprentice
LDOA000025	King, Angela L	Dispensing Optician Apprentice
LDO002048	McElveen, Kenneth Franklin	Dispensing Optician
REINSTATEMENTS		
LDO001559	Crickey, Douglas A.	Dispensing Optician
LDO001232	Thompson, William Calhoun	Dispensing Optician

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LDO001057	Long, James D.	Dispensing Optician
LDO001871	Wallace, Arlene J.	Dispensing Optician
LDO001054	Goodyear, Sonya Anita	Dispensing Optician
LDO001292	Brown, Sheena K.	Dispensing Optician
LDO000954	Turner, Debra Derrick	Dispensing Optician
LDO001583	Reese, Deborah A.	Dispensing Optician
LDO001748	Fisher, Anatoly	Dispensing Optician
LDO000788	Stone, Mary K.	Dispensing Optician
LDO001484	Kight, Jamie Ann	Dispensing Optician
LDO001291	Hooks, Dianne Renee	Dispensing Optician
LDO001703	Kotzias, George Antonios	Dispensing Optician
LDO000810	Kornegay, Linda L.	Dispensing Optician
LDO001850	Smith, Patricia Alice	Dispensing Optician
LDO001551	Wehmeyer, Patricia A.	Dispensing Optician

House Bill 881: Mr. Sanford made a motion, Mr. Meldrum seconded and the Board voted to oppose House Bill 881 as it is written. Ms. Drake and Mr. Schulz voted against the motion. Mr. Sanford made a motion, Mr. Meldrum seconded and the Board voted to oppose House Bill 881 as it is written, but are not in opposition to the Apprentice License. Mr. Schulz voted against the motion.

Board Meeting Date: Mr. Schulz made a motion, Mr. Meldrum seconded and the Board voted to change the Board meeting date from November 2, 2005 to November 9, 2005 due to staff scheduling conflict.

Policy: Release of Investigative Materials:

Mr. Schulz moved and Ms. Drake seconded and the Board voted to allow staff to administratively release the records of an investigation to another enforcement agency or lawful licensing authority without a Board vote.

Correspondence:

Kirkland McGhee, Esq.: Will the Board issue an Official Statement/Rationale for its decision regarding its amendment to Rule 420-8-.01? **Board Response:** The Board is drafting a response which will be finalized at its November 9, 2005 Board meeting. You will be notified shortly thereafter.

Optician Examination Review: The Board reviewed and discussed different aspects of the examination.

Mr. Meldrum moved and Ms. Drake seconded and the Board voted to accept the report.

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Reports:

Kathy Harvey, Enforcement Report:

- **Case #DISP040032:** Ms. Drake moved, and Mr. Schulz seconded and the Board voted to close and flag.
- **Case #DISP050006:** Ms. Drake moved, and Mr. Schulz seconded and the Board voted to refer back to Enforcement.
- **Case #DISP050008/9:** Ms. Drake moved, and Mr. Sanford seconded and the Board voted to accept the signed Cease and Desist order. Docket number: 2005-1204.

Diane Drake, Cognizant Board Member

- No Report

Brig Zimmerman, Executive Director

- No report

Wylencia Monroe, Board Attorney's Report

- No report

There being no further business to come before the Board, the meeting was adjourned at 1:00 P.M.

Minutes recorded by:

Yvonne LeSane, Board Secretary

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

Glenn Morris
Board Chair

Mollie L. Fleeman
Division Director